



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 1556**
Hiroya OKUMURA et al. : Docket No. 2001_1255A
Serial No. 09/950,081 : Group Art Unit 1745
Filed September 12, 2001 : Examiner Mark Ruthkosky

SEPARATOR FOR SOLID POLYMER TYPE FUEL **Mail Stop: Amendment**
CELL AND PROCESS FOR PRODUCING THE SAME

PATENT OFFICE FEE TRANSMITTAL FORM
THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$120.00 to cover Patent Office fees relating to filing the following attached papers:

Petition for Extension of Time **\$120.00**

Other: \$

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Hiroya OKUMURA et al.

By Warren Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/dlk
WENDEROTH, LIND & PONACK, L.L.P.
2033 K St., N.W., Suite 800
Washington, D.C. 20006-1021
Telephone (202) 721-8200
March 15, 2005

[Check No. 67176]
2001_1255A



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SEPARATOR FOR SOLID POLYMER TYPE **Mail Stop: Amendment**
FUEL CELL AND PROCESS FOR PRODUCING
THE SAME

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is responsive to the Official Action dated November 17, 2004, the time for responding thereto being extended for one month in accordance with a petition for extension submitted concurrently herewith.

Reconsideration is respectfully requested in view of the following remarks and the Rule 132 Declaration of Mr. Takabatake enclosed herewith.

Claims 1-3, 10 and 16-18 are rejected under 35 USC 102 as anticipated by U.S. 4,301,222 to Emanuelson et al. This ground of rejection is respectfully traversed.

Emanuelson et al. disclose "An electrochemical cell separator plate having a thickness no greater than 0.150 inch and having been made by molding and then heat treating a mixture comprising high purity graphite powder and a carbonizable thermosetting phenolic resin in a proportion 45-65 parts by weight graphite and 55-35 parts by weight resin, said graphite powder consisting of substantially 100% fully graphitic particles having a density of at least 2.0 gm/cc, an average aspect ratio of less than about 0.40, and a distribution of particle sizes up to a maximum